

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

(COMPLETE IF KNOWN)

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| Application Number | |
| Filing Date | June 28, 2001 |
| Group Art Unit | |
| Examiner | |

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|------------------------|----------|
| Attorney Docket Number | 3815/125 |
| First Named Inventor | HIGUCHI |

This declaration is (check one):

- ☒ submitted with initial filing;
☐ submitted after initial filing;
☐ a supplemental declaration.

This application is of the following type:

- ☒ utility;
☐ design;
☐ national stage of PCT;
☐ divisional, continuation or continuation-in-part.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TRANSMISSION POWER CONTROL METHOD AND MOBILE COMMUNICATION SYSTEM

the specification of which: (check one)

- ☒ is attached hereto; or
☐ was filed on _____ as U.S. Application No. _____
and is/was amended on _____ (if applicable);
☐ was described and claimed in PCT International Application No. _____,
filed on _____ and was amended under PCT Article 19 on _____
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby identify below, and where indicated claim foreign priority benefits under Title 35, United States Code §§ 119(a)-(d) or §§ 365(a)-(b) of any foreign application(s) for patent or

inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America, filed within 12 months (6 months for design) prior to this application, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed (if any):

| Foreign/PCT Application Number | Country | Filing Date (MM/DD/YYYY) | Priority Claimed | |
|--------------------------------|---------|--------------------------|------------------|--------|
| 2000-197375 | Japan | 6/29/2000 | (X) Yes | () No |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below (if any):

| Provisional Application No. | Filing Date |
|-----------------------------|-------------|
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I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International Application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| U.S./PCT Parent Application No. | Filing Date | Status (Patented, Pending, or Abandoned) |
|---------------------------------|-------------|--|
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

As a named inventor, I hereby appoint the following attorney(s) or agent(s), of the law firm Brown Raysman Millstein Felder & Steiner LLP, 120 West Forty-Fifth Street, New York, New York, 10036, its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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(check one) Sheets containing additional joint inventors (X) are, () are not attached hereto.

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| Full Name of Third Joint Inventor | Mamoru SAWAHASHI | | |
| Inventor's Signature | <i>Mamoru Sawahashi</i> | Date | June 8, 2001 |
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(check one) Sheets containing additional joint inventors () are, (X) are not attached hereto.

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